

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JAROSLAW WASKOWSKI,

Plaintiff,

Macomb County Circuit Court
Case No. 10-106869-NI

v

U.S. District Court Case No. 11-cv-13036

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

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PLAINTIFF'S PROPOSED VERDICT FORM

We, the jury, make the following answers to the questions submitted by the Court:

QUESTION NO. 1: Did the plaintiff sustain an accidental bodily injury?

Answer: ____ (yes or no)

If your answer is "no," do not answer any further questions.

QUESTION NO. 2: Did the plaintiff's accidental bodily injury arise out of the ownership, operation, maintenance, or use of a motor vehicle as a motor vehicle on December 23, 2009?

Answer: ____ (yes or no)

If your answer is "no," do not answer any further questions.

ALLOWABLE EXPENSES

QUESTION NO. 3: Were allowable expenses incurred by or on behalf of the plaintiff arising out of the accidental bodily injury referred to in Question No. 2?

(Allowable expenses consist of all reasonable charges for reasonably necessary products, services, and accommodations for the plaintiff's care, recovery, or rehabilitation.)

A. Answer: ____ (yes or no)

B. If your answer is "yes," what is the amount of allowable expenses owed to the plaintiff (include only expenses not already paid by the defendant)?

\$ _____

WORK LOSS

QUESTION NO. 4: Did the plaintiff sustain work loss arising out of the accidental bodily injury referred to in Question No. 2?

(Work loss consists of loss of income from work the plaintiff would have performed during the first three years after the date of the accident if the plaintiff had not been injured. *[Work loss for an injured person who is temporarily unemployed at the time of the accident or during the period of disability shall be based on earned income for the last month employed full time preceding the accident.] Work-loss benefits are computed at 85 percent of the plaintiff's loss of gross income, but they may not exceed the sum of [applicable monthly maximum] per 30-day period nor may they be payable beyond three years after the date of the accidental bodily injury.)

A. Answer: ____ (yes or no)

B. If your answer is "yes," what is the amount of work loss owed to the plaintiff (include only work loss not already paid by the defendant)?

\$ _____

REPLACEMENT SERVICE EXPENSES

QUESTION NO. 5: Were replacement service expenses incurred by or on behalf of the plaintiff arising out of the accidental bodily injury referred to in Question No. 2?

(Replacement service expenses consist of expenses not exceeding \$20 per day reasonably incurred in obtaining ordinary and necessary services in place of those that, if the plaintiff had not been injured, the plaintiff would have performed during the first three years after the date of the accident, not for income, but for the benefit of the plaintiff or [his / her] dependent(s). Benefits for

replacement service expenses may not exceed \$20 per day nor may they be payable beyond three years after the date of the accidental bodily injury.)

A. Answer: ____ (yes or no)

B. If your answer is “yes,” what is the amount of replacement service expenses owed to the plaintiff (include only replacement service expenses not already paid by the defendant)?

\$ _____

INTEREST

QUESTION NO. 6: Was payment for any of the expenses or losses to which the plaintiff was entitled overdue?

(Payment for an expense or loss is overdue if it is not paid within 30 days after the defendant receives reasonable proof of the fact and the amount of the claim. An overdue claim bears interest at the rate of 12 percent per annum from the date the expense or loss became overdue.)

A. Answer: ____ (yes or no)

B. If your answer is “yes,” what is the amount of interest owed to the plaintiff on overdue benefits (include only interest not already paid by the defendant)?

\$ _____

Signed,

Foreperson

Date: